



DELTA STEWARDSHIP COUNCIL

A California State Agency

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February 23, 2015

Mr. Mac Taylor
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Dear Mr. Taylor:

I read with interest your recent report *Achieving State Goals for the Sacramento-San Joaquin Delta*. It provides a solid and easily read summary and assessment of efforts to further the State's co-equal goals. Much of its analysis and many recommendations mirror the Delta Stewardship Council's own observations in the Delta Plan, the Council's comments on the BDCP and other programs, and Council issue papers.

Your report, however, includes two statements that I encourage you to reconsider. The first is the assessment on page 25 that it is uncertain how the Delta Plan would be enforced if agencies that have certified that their covered actions are consistent with the Delta Plan do not take actions recommended by the Council following successful appeals of the consistency determination. The Delta Reform Act calls for a legally-enforceable Delta Plan, and the Council believes that the Plan's regulatory policies are legally enforceable through the consistency review and appeals process set out in the Act and in our administrative procedures governing appeals. I note, however, that this is part of current litigation over the Delta Plan.

Second, despite the assessment on page 22 of your report, the Delta Plan is clear that progress towards regional water supply self-reliance and reduced reliance on the Delta can be measured as either an absolute reduction in – or a reduction in the percentage of – water used from the Delta watershed. Programs and projects that improve water use efficiency, recycle water, capture and use stormwater, or store water for local or regional use can all help reduce reliance. This flexible approach reflects the diversity of water management needs and opportunities in areas that rely on Delta waters.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

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Page 2

The Council and its staff are working diligently to update the Delta Plan's priorities for State investment in Delta levees and to more fully report progress toward the Plan's performance measures, including refining and supplementing the measures described in the Plan. Our 2014 annual report uses the Delta Plan's administrative performance measures to track implementing actions. Progress is notable, with 80 percent of the actions tracked by the Delta Plan's performance measures underway: 16 have been completed, 78 are in progress and 24 have not yet been started. This progress includes maintenance and improvement Delta levees consistent with the Delta Plan's interim priorities for State funding of Delta levees.

We appreciate your office's attention to the Delta's importance and the implementation of the Delta Reform Act. If we can provide additional information or insights into the Council's work, don't hesitate to call.

Sincerely,

[Original signed by]

Dan Ray
Chief Deputy Executive Officer